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Submission to the Public Utility Commission

Hazardous Liquid Public Utility Safety Standards -Advanced Notice of Proposed Rulemaking
Docket # L-2019-3010267

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Determination of Public Utility Status and use of Eminent Domain

The criteria for determining public utility status needs to be much more stringent and transparent. The operator should not be allowed to seize property and/or begin construction until all applicable permits have been issued and received.

Public Notification

Due to the importance of keeping the public aware of developments in the pipeline installation process, I encourage the PUC to adopt a rule mandating that public utilities inform residents and municipalities within a 1,000 foot radius of new pipeline construction at least 1 year prior to the beginning of construction.

Early Warning and Advanced Leak Detection

The PUC should develop a framework requiring public utility facilities transporting natural gas or natural gas liquids to employ advanced leak detection hardware in critical operational locations to ensure public safety and additionally utilizing a mass early warning notification system to alert residents to an incident. The PUC taking a major role in requiring this technology be employed would catalyze leadership on the issue and reduce the risks these pipelines pose to communities. An important component of this initiative would be clarifying how the early warning would reach residents within the potentially impacted area.

Emergency Response Plan Disclosure

A policy should be enforced that would require pipeline operators provide current Emergency Response Plans to the Commission which could then be responsibly and confidentially shared with county emergency services for the purpose of coordinating a response to a pipeline incident. This change is critical in ensuring that there is no bureaucratic barrier between county emergency services and the information they need to ensure our first responders are following through on effective and well informed plans to keep our communities in Pennsylvania safe.

Public Education

The Commission should explore all possible avenues in order to require pipeline operators provide a County specific public education apparatus designed to inform and educate residents about responding to a pipeline incident. In the absence of having clear information about the nature and realities of a NGL pipeline, the public wrestles with insecurity about how to react should an emergency arise.

Siting Procedures

I encourage the PUC to adopt a new rule requiring public utilities acquire approval from the PUC regarding siting of new pipeline construction. Most importantly there needs to be a minimum distance from houses, schools, hospitals and other locations to protect people from these hazardous materials and their consequences.

This approval process should include considerations for environmental factors, such as wildlife habitats, geology, landscape, and others. This application should include a requirement that the pipeline operator conduct an aquifer study to be included with the application. Finally, the approval process should include a public hearing in the county in which the proposed pipeline construction would take place.

Remaining Life Study

Pennsylvania currently has pipelines in operation from the 1930's, well before some of the technological advances and anti-corrosion measures that make pipelines relatively safer today were implemented. Pennsylvanians have the right to be reasonably assured that public utilities are maintained and operated beyond the most basic standards required, when considering pipeline safety the Commission should actively seek to require that after a certain threshold, legacy pipelines are subjected to a remaining life study to determine roughly how much operational life remains well before corrosion related incidents become imminent.

This study should be conducted by independent engineering company not by the operator.